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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

BANK OF AMERICA, N.A., successor in  
interest to MERRILL LYNCH CREDIT  
CORPORATION, by and through its servicer  
and attorney-in-fact, PHH MORTGAGE  
CORPORATION,

Plaintiff,

v.

KIRBY WESTHEIMER and JOHN DOE #1  
through JOHN DOE #40, inclusive,

Defendants.

Civil Action No. 12-07080

**STIPULATION AND CONSENT ORDER  
EXTENDING PLAINTIFF'S TIME TO  
RESPOND TO DEFENDANT'S  
COUNTERCLAIM UNTIL APRIL 25, 2013**

**IT IS HEREBY STIPULATED AND CONSENTED TO** by and between counsel for plaintiff, Bank Of America, N.A., successor in interest to Merrill Lynch Credit Corporation, by and through its servicer and attorney-in-fact, PHH Mortgage Corporation ("Plaintiff"), and defendant Kirby Westheimer ("Defendant"), that the deadline by which Plaintiff must respond to Defendant's Counterclaim in the above-captioned matter shall be extended up to and including April 25, 2013.

RIKER, DANZIG, SCHERER, HYLAND &  
PERRETTI LLP  
Attorneys for Plaintiff

GRUHIN & GRUHIN, P.A.  
Attorneys for Defendant

By: /s/Jonathan P. Vuotto  
Jonathan P. Vuotto

By: /s/Paul J. Linker  
Paul J. Linker

Dated: March 8, 2013

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**SO ORDERED:**

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Joel A. Pisano, U.S.D.J.